

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

CHUNG et al.

Application No.:

Group Art Unit: 2133

Filed: December 24, 2003

Examiner: S. Chase

For: RECORDING MEDIUM FOR STORING REAL TIME RECORDING/REPRODUCTION INFORMATION,
METHOD AND APPARATUS FOR RECORDING AND REPRODUCING IN REAL TIME, AND FILE
OPERATING METHOD USING THE SAME

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure provisions of 37 CFR § 1.56, there is hereby provided certain information which the Examiner may consider material to the examination of the subject U.S. patent application. It is requested that the Examiner make this information of record if it is deemed material to the examination of the subject application.

1. Enclosures accompanying this Information Disclosure Statement are:

- 1a. ☒ Form PTO-1449.
- 1b. ☐ Copies of IDS citations.
- 1c. ☐ An English language copy of search report(s) from a counterpart foreign application or a PCT International Search Report.
- 1d. ☐ English language translation (complete or relevant portion(s)) attached to each non-English language publication.
- 1e. ☒ Explanations of Relevancy of References (ATTACHMENT 1(e), hereto) for providing a concise explanation of each non-English publication.
- 1f. ☒ List of Copending Applications (ATTACHMENT 1(f), hereto).
- 1g. ☐ List of Additional Submitted Documents (ATTACHMENT 1(g), hereto).

2. ☒ This Information Disclosure Statement is filed under 37 CFR §1.97(b):

(Check either Item 2a or 2b or 2c or 2d)

- 2a. ☐ Within three months of the filing date of a national application other than a Continued Prosecution Application under § 1.53(d);
- 2b. ☐ Within three months of the date of entry of the national stage as set forth in § 1.491 in an international application.
- 2c. ☒ Before the mailing of a first Office Action on the merits; or
- 2d. ☐ Before the mailing of a first Office Action after the filing of a Request for Continued Examination under § 1.114.

3. ☐ This Information Disclosure Statement is filed under 37 CFR § 1.97(c) after the period specified in paragraph 2 above but before the mailing date of any of a Final Office Action under § 1.113, a Notice of Allowance under § 1.311 or an action that otherwise closes prosecution in the application, AND

(Check either Item 3a or 3b; Item 3b to be checked if any reference known for more than 3 months)

- 3a. ☐ The §1.97(e) Statement in Item 5 below is applicable; OR
3b. ☐ The \$180.00 fee set forth in 37 C.F.R. §1.17(p) is:
☐ enclosed.
☐ to be charged to Deposit Account No. 19-3935.

4. ☐ This Information Disclosure Statement is filed under 37 CFR §1.97(d) after the period specified in paragraph 3 above, but on or before payment of the Issue Fee, AND

- 4a. ☐ The § 1.97(e) Statement in Item 5 below is applicable; AND
4b. ☐ The \$180.00 fee set forth in 37 C.F.R. §1.17(p) is:
☐ enclosed.
☐ to be charged to Deposit Account No. 19-3935.

5. ☐ Statement under § 1.97(e) (*applicable if Item 3a or Item 4a is checked*)
(Check either Item 5a or 5b)

- 5a. ☐ In accordance with 37 CFR § 1.97(e)(1), it is stated that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.
5b. ☐ In accordance with 37 CFR § 1.97(e)(2), it is stated that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known by any individual designated in §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

6. ☒ This is a continuation/divisional/continuation-in-part application under 37 CFR § 1.53(b).

(Check appropriate Items 6a and/or 6b)

- 6a. ☒ Copies of the publications listed on the attached Form PTO-1449 which were previously cited in prior application Serial No. 09/576,974, filed on May 24, 2000, and which is relied on for an earlier effective filing date for the subject application under 35 U.S.C. § 120, have been omitted pursuant to 37 CFR § 1.98(d).
6b. ☐ Copies of the publications listed on the attached Form PTO-1449 which were not previously cited in prior application Serial No. ___, filed on ___, and which is relied on for an earlier effective filing date for the subject application under 35 U.S.C. § 120, are provided herewith.

7. ☐ This is a continuation/divisional application under 37 CFR § 1.53(d) or a Request for Continued Examination under 37 CFR 1.114.

(Check either Item 7a or 7b)

- 7a. ☐ The Issue Fee has not been paid.
7b. ☐ A Petition to Withdraw from issue under 37 CFR § 1.313(c) is filed concurrently herewith or has been granted. A continuation/divisional application under 37 CFR § 1.53(d) or a

Request for Continued Examination under 37 CFR 1.114, after payment of the Issue Fee, is proper in accordance with 37 CFR § 1.53(d)(1)(ii) or 37 CFR 1.114(a), respectively.

8. ☐ This is a Supplemental Information Disclosure Statement.

(Check either Item 8a or 8b)

- 8a. ☐ This Supplemental Information Disclosure Statement under 37 CFR § 1.97(f) supplements the Information Disclosure Statement filed on _____. A bona fide attempt was made to comply with 37 CFR § 1.98, but inadvertent omissions were made. These omissions have been corrected herein. Accordingly, additional time is requested so that this Supplemental IDS can be considered as if properly filed on _____.
- 8b. ☐ This Supplemental Information Disclosure Statement is timely filed within one (1) month of the Notice under 37 CFR § 1.97 and 1.98, mailed _____.

9. ☒ In accordance with 37 CFR § 1.98, a concise explanation of what is presently understood to be the relevance of each non-English language publication is:

(Check appropriate Items 9a, 9b, 9c and/or 9d)

- 9a. ☐ satisfied because all non-English language publications were cited on the enclosed "English language version of the search report or action which indicates the degree of relevance found by the foreign office". (See MPEP § 609, Minimum Requirements for an Information Disclosure Statement, Part A(3): Concise Explanation of Relevance, 8th Ed.)
- 9b. ☐ set forth in the application.
- 9c. ☐ satisfied because an English language translation (complete or relevant portion(s)) is attached to each non-English language publication.
- 9d. ☒ enclosed as Attachment 1(e), hereto.

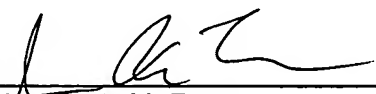
10. No admission is made that the information cited in this Statement is, or is considered to be, material to patentability nor a representation that a search has been made (other than search report(s) from a counterpart foreign application or a PCT International Search Report, if submitted herewith). 37 CFR §§ 1.97(g) and (h).

11. The Commissioner is authorized to credit any overpayment or charge any additional fee required under 37 CFR § 1.17 for this Information Disclosure Statement to Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Dated: Dec 24, 2003
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By: 
James G. McEwen
Registration No. 41,983

FORM PTO-1449	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTORNEY DOCKET NO. 1293.1069D2C	APPLICATION NO.
LIST OF REFERENCES CITED BY APPLICANT (Use several sheets if necessary)		FIRST NAMED INVENTOR Hyun-kwon CHUNG et al.	
		FILING DATE December 24 2003	GROUP ART UNIT

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NO.	DATE	NAME	CLASS	SUB- CLASS	FILING DATE
	AA	6,266,483	7/24/2001	Okada et al.			
	AB	6,259,858	7/10/2001	Ando et al.			
	AC	6,263,152	7/17/2001	Hisatomi et al.			
	AD	5,913,010	6/15/1999	Kaneshige et al.			
	AE	6,219,311	4/17/2001	Mitsuno			
	AF	5,504,757	4/02/1996	Cook et al.			

FOREIGN PATENT DOCUMENTS

		DOCUMENT NO.	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION YES NO	
	AG	469 832 A2	2/5/92	Europe			X	
	AH	0 838 926 A2	4/29/98	Europe			X	
	AI	0 903 744 A2	3/24/99	Europe			X	
	AJ	97/01841	1/16/97	PCT			X	
	AK	99/13469	3/18/99	PCT			(Abstract)	
	AL	469 832 A2	2/5/92	Europe			X	

OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, Etc.)

	AM	OPTICAL STORAGE TECHNOLOGY ASSOCIATION (OSTA): "Universal Disk Format Specification, OSTA-2, Revision 2.00" (the whole document)
	AN	Yu C et al.: "EFFICIENT PLACEMENT OF AUDIO DATA ON OPTICAL DISKS FOR REAL-TIME APPLICATIONS" Communications of the Association for Computing Machinery, vol. 32, no. 7, 1 July 1989 (1989-07-01), pp. 862-871

EXAMINER	DATE CONSIDERED
<p>*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.</p>	

FORM PTO-1449	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTORNEY DOCKET NO. 1293.1069D2C	APPLICATION NO.
LIST OF REFERENCES CITED BY APPLICANT (Use several sheets if necessary)		FIRST NAMED INVENTOR Hyun-kwon CHUNG et al.	
		FILING DATE December 24 2003	GROUP ART UNIT

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NO.	DATE	NAME	CLASS	SUB- CLASS	FILING DATE
	BA	6,393,196	5/21/02	Yamane et al.			
	BB	5,966,358	10/12/1999	Mine			
	BC	5,999,505	12/7/1999	Yasui			
	BD	6,292,625	9/18/2001	Gotoh et al.			
	BE	5,579,516	11/26/1996	Van Maren et al.			

FOREIGN PATENT DOCUMENTS

		DOCUMENT NO.	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION YES NO	
	BF	0 664 506 A2	7/26/1995	Europe				
	BG	1 065 665 A1	1/3/2001	Europe				
	BH	04-3369	8/1/92	Japan			abstract only	
	BI	98/14938 A	April 9, 1998	PCT			Abstract Only	
	BJ	0 866 456A	Sept. 23, 1998	Europe				
	BK	06-28773	2/4/1994	Japan			JPO Provided	
	BL	98/13769	4/02/98	WO			Abstract Only	
	BM	8-255100	10/1/96	JP			Abstract Only	
	BN	EP 0 908 881	4/14/1999	Europe				

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FORM PTO-1449	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTORNEY DOCKET NO. 1293.1069D2C	APPLICATION NO.
LIST OF REFERENCES CITED BY APPLICANT (Use several sheets if necessary)		FIRST NAMED INVENTOR Hyun-kwon CHUNG et al.	
		FILING DATE December 24, 2003	GROUP ART UNIT

OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, Etc.)

	CA	McMurdie, Michael et al., "Packet Writing & UDF CD Recording's Logical Next Step", Emedia Professional at p. 31-38 (May 1997)
	CB	Yamada et al., "Real-time MPEG2 Encoding and Decoding with a Dual-Isse RISC Processor", 1997, IEEE, pp. 225-228
	CC	Saraiya et al., "Encoding Solutions for MPEG Systems", 11-1995, IEEE, pp. / 732-737
		"Universal Disk Format™® Specification", Revision 2.01, Optical Storage Technology Association, March 15, 2000, pp. i-iv, 1-147. (marked up version showing changes relative to Revision 2.0)

EXAMINER	DATE CONSIDERED
<p>*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.</p>	

ATTACHMENT 1(e)

EXPLANATIONS OF RELEVANCY OF REFERENCES	ATTORNEY DOCKET NO.	APPLICATION NO.
	1293.1069D2C	
	FIRST NAMED INVENTOR	
	Hyun-kwon CHUNG et al.	
	FILING DATE	GROUP ART UNIT
	December 24, 2003	

U.S. Patent 6,219,311 relies upon WO 99/13469 for priority.

US 6,393,196 corresponds to WO 98/13769

ATTACHMENT 1(F)

LIST OF COPENDING APPLICATIONS	ATTORNEY DOCKET NO.	APPLICATION NO.
	1293.1069D2C	
	FIRST NAMED INVENTOR	
	Hyun-kwon CHUNG et al.	
	FILING DATE	GROUP ART UNIT
	December 24 2003	

The following, prior-filed, copending U.S. patent application(s) is/are listed in accordance with the duty of disclosure provisions of 37 CFR § 1.56, so that the Examiner may consider same should he deem any thereof to be material to examination of the subject application. A copy of the identified copending application(s) is not provided pursuant to 37 CFR 1.98(a)(2)(iii) since the below applications are divisionals of the parent application, U.S. Serial No. 09/304,279.

It is requested that the Examiner acknowledge his consideration of application(s) below-listed by initialing same in the space provided adjacent each such application and that the Examiner sign and date this form at the bottom thereof to confirm such consideration having been given.

This submission in no way represents an admission that any of the information listed herein constitutes prior art with respect to the subject application and unless and until such prior art status is established, this submission is not a request that the information presented herein be printed on the face of any patent issuing from the subject application in which this information is being filed.

U.S. PATENT APPLICATION DOCUMENTS

*EXAMINER INITIAL		U.S. SERIAL NO.	FILING DATE	NAME	ASSIGNEE
	1	09/901,115	7/10/2001	Hyun-kwon CHUNG, et al.	Samsung Electronics Co., Ltd.
	2	09/576,973	5/24/2000	Hyun-kwon CHUNG, et al.	Samsung Electronics Co., Ltd.
	3	09/576,974	5/24/2000	Hyun-kwon CHUNG, et al.	Samsung Electronics Co., Ltd.
	4	09/577,042	5/24/2000	Hyun-kwon CHUNG, et al.	Samsung Electronics Co., Ltd. Suwon-city, Republic of Korea
	5	09/304,279	5/3/1999	Hyun-kwon CHUNG, et al.	Samsung Electronics Co., Ltd.

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